

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DEBRA BLOOMER, et al.,

Plaintiffs,

vs.

**BRIDGESTONE FIRESTONE NORTH
AMERICAN TIRE, LLC and
MEGINNIS FORD COMPANY,**

Defendants.

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8:05CV503

ORDER TO SHOW CAUSE

This matter is before the court *sua sponte*. In this case the complaint was filed on November 3, 2005. **See** Filing No. 1. The complaint was amended on November 4, 2005. **See** Filing No. 5. There is no evidence in the record that the plaintiffs served the November 4 complaint on Meginnis Ford Company. On November 28, 2005, the plaintiffs moved to amend the complaint to allege only claims against Bridgestone Firestone North American Tire, LLC (Bridgestone Firestone). **See** Filing No. 11. The court granted the motion, giving the plaintiffs until December 9, 2005, to file the second amended complaint. **See** Filing No. 12. The plaintiffs never filed the second amended complaint. However, on February 2, 2005, Bridgestone Firestone filed a motion to dismiss, which was denied. **See** Filing Nos. 15 and 19. And on April 18, 2006, Bridgestone Firestone filed an "Answer to Plaintiffs' Second Amended Complaint" which appears to have been filed in response to the proposed Second Amended Complaint. The court will allow the plaintiffs another opportunity to file the Second Amended Complaint because it appears both parties and the court were operating under the assumption that the pleading had been filed. Upon consideration,

IT IS ORDERED:

The plaintiffs shall have to **on or before May 19, 2006**, to file the Second Amended Complaint. Failure to comply with this order may result in the plaintiffs' claims being dismissed pursuant to NECivR 41.1.

Dated this 11th day of May, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge